



MICHIGAN SUPREME COURT

Office of Public Information

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SUPREME COURT PROPOSES ‘LOCAL OPTION’ FOR UNIFYING COURTS

LANSING, MI, March 8, 2002 – Circuit, probate and district courts could be combined into a single “trial court” on a local option basis, under a recommendation forwarded to the Legislature today by the Michigan Supreme Court.

“Our experience with unified trial courts suggests that they present many benefits,” said Chief Justice Maura D. Corrigan. “After years of study and trial, it is time to offer the option of unified courts to all those who want them.”

The Court’s proposal is the culmination of a six-year study that began with seven “demonstration project” courts in diverse settings. The project courts are located in Barry, Berrien, Iron, Isabella, Lake, and Washtenaw counties, with a multi-circuit project operating in Crawford, Kalkaska, and Otsego counties. The experience of those courts “has shown that unified courts are more efficient, process cases faster, and save money for taxpayers,” Corrigan said.

On the trial court level, Michigan has circuit, probate, and district courts. Each court has jurisdiction over different kinds of cases. The demonstration project courts combined the functions of all three courts into a single “trial court.” A unified trial court has a single budget. All the judges of the unified trial courts may be assigned to any division of the court – family, criminal, civil, etc. – to meet the demands of the court’s workload.

In a September 2001 report, the National Center for State Courts (NCSC) concluded that “all of the consolidated courts are generally making more efficient use of judicial and quasi-judicial resources ... than the pre-consolidation courts.” In addition, the courts used technology effectively and cut down on the amount of time used to resolve cases. The demonstration project courts also “hastened the delivery of justice to families,” the report stated.

The Michigan Legislature created the Family Division of Circuit Court, which became operative in 1998. But, almost two years before that, the demonstration projects created family divisions to resolve cases involving family and children’s issues. The result was improved coordination of cases relating to the same family, the NCSC concluded.

Unified trial courts have also reduced operating costs as compared with pre-unified courts in the same county, the NCSC report states. In 1994, before unifying its trial courts, Washtenaw County spent \$11 million to run its courts, while the courts generated \$10 million in income. In 2000, by contrast, the unified court's revenues exceeded expenditures by more than \$2 million.

In a letter sent on behalf of the Court to Governor John Engler, Senate Majority Leader Dan DeGrow, and Speaker of the House Rick Johnson, Corrigan called for "concurrent jurisdiction among the trial courts" as a local option, in a manner consistent with the Michigan Constitution.

The letter added that the Court recognized that, "while many find these changes beneficial, there are those who are equally sincere who are of the view that in their communities these approaches would be less successful."

The solution, Corrigan wrote on behalf of the Court, is to permit communities to choose court unification "on a local option basis."

The letter also stated that the practice of cross-assigning probate judges to the Family Division "should not be a permanent solution ... this issue must be addressed with some urgency by the Legislature."

Justice Stephen J. Markman wrote separately to pose some constitutional questions.

For more information, please contact the Michigan Supreme Court Office of Public Information.